13 FEB 2006

IN THE UNITED STATES

Applicant:

LJUNGH-WADSTROM et al.

Examiner:

Unknown

Serial No.:

10/557,514

Group Art Unit:

Unknown

Filed:

21 November 2005

Docket:

05822.0328USWO

PATENT TRADEMARK OFFICE

Confirmation

Unknown

Notice of Allow.

N/A

No.:

Date:

Due Date:

N/A

A PROBIOTIC COMPOSITION COMPRISING AT LEAST TWO LACTIC ACID BACTERIAL STRAINS WHICH ARE ABLE TO COLONISE THE GASTROINTESTINAL

TRACTS IN COMBINATION WITH HAVING INTESTINAL SURVIVAL PROPERTY, INTESTINAL BINDING PROPERTY, AN INFECTION PROTECTION PROPERTY AND A

FIBER FERMENTING PROPERTY

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450,

Alexandria, Virginia 22313-1450 on 8 February 2006.

Mail Stop Amendment Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal Sheet in duplicate containing Certificate of Mailing

☐ Information Disclosure Statement, Form 1449, **K**Reference(s)

Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

> Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 612.332.5300

Name: Dennis R. Daley

Reg. No.: 34,994

DRD/cic

128 July 123

OIP E 3/N 10/557,514

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

LJUNGH-WADSTROM

Examiner:

Unknown

et al.

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Docket No.:

05822.0328USWO

Title:

A PROBIOTIC COMPOSITION COMPRISING AT LEAST TWO

LACTIC ACID BACTERIAL STRAINS WHICH ARE ABLE TO

COLONISE THE GASTROINTESTINAL TRACTS IN COMBINATION WITH HAVING INTESTINAL SURVIVAL PROPERTY, INTESTINAL BINDING PROPERTY, AN INFECTION PROTECTION PROPERTY

AND A FIBER FERMENTING PROPERTY

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 8 February 2006.

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

23552

Dated: 8 February 2006

DRD/cjc

Respectfully submitted,

MERCHANT & GOULD P.C.

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Minneapolis, Minnesota 55402-0903

(612) 332-5300

Dennis R. Daley

Reg. No. 34,994

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ORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:	Application Number:			
05822.0328USWO	10/557,514			

Applicant: LJUNGH-WADSTROM et al.

Filing Date: 21 November 2005

Group Art Unit: Unknown

EXAMINER	DOCUMENT NO.	DATE	U.S. PATENT DOCUME	CLASS	SUBCLASS	CII IN/	C DATE
INITIAL	DOCOMENT NO.	DATE	NAME	CLASS	SUBCLASS		DATE OPRIATE
	US 6,022,568	2/2000	Lesens et al.				
•	US 2002/0022019 A1	2/2002	Laulund				
	US 6,410,305 B1	6/2002	Miller et al.				
		FOI	REIGN PATENT DOCUM	1ENTS		-	
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 1 020 123 A1	7/2000	Europe				
	WO 01/58465 A2	8/2001	WIPO				
	WO 99/29833	7/1999	WIPO				
	WO 97/29645	8/1997	WIPO				
	OTHER	DOCUMENT	S (Including Author, Title,	Date, Pertinent F	ages, Etc.)		
	Rial D. Ro in the Con	lfe. "Symposiu trol of Gastroin	m: Probiotic Bacteria: Impl testinal Health." 2000. Ame	ications for Hum erican Society for	nan Health - The Ro Nutritional Science	ole of Probiot es. pp. 396S-	ic Culture 402S.

23552
PATENT TRADEMARK OFFICE

EXAMINER DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.